Supreme Court, U.S.
FILED
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JOSEPH F. SPANIOL, JR.
CLERK

No. 85-1634

IN THE

# SUPREME COURT OF THE UNITED STATES

RONALD W. CONNER and/or
BEVERLY B. CONNER - - - - Petitioners

*versus*

SHELTER MUTUAL INSURANCE
COMPANY - - - - - - Respondent

## ANSWER TO PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

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## ANSWER TO PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

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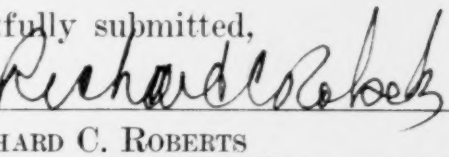
The plaintiffs' Petition for Certiorari shows that the opinion of the Sixth Circuit Court of Appeals is not in conflict with the Constitution of the United States of America, or with the decision of any other Circuit Court of Appeals, or with the law of Kentucky.

As demonstrated by the opinion of the Sixth Circuit Court of Appeals, found at page A-23 of the Petition, there was no evidence on which a jury could base its finding that respondent would have issued the policy had they known of the many convictions of crime of petitioner, Ronald W. Conner. Issuance of the policy violated respondent's underwriting rules, and respondent's underwriters testified without being impeached that they would not have issued the policy had they known the truth. Neither the agent who took the application nor the adjuster had authority to approve the coverage, and the most they said was that they did not

know the underwriting rules. There was no evidence that underwriting rules for automobile insurance and homeowners insurance were the same.

The Petition for Certiorari to the Sixth Circuit Court of Appeals should be denied.

Respectfully submitted,



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